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PATENT
Docket No.: 2716-4007-US2
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAR 29 2002

Applicants : Michael B. CHANCELLOR et al.

TECH CENTER 1600/2900

Serial No. : 09/549,937

Art Unit: 1633

Filed : April 14, 2000

Examiner: Brian Whiteman

For : **Soft Tissue and Bone Augmentation and Bulking Utilizing
Muscle-derived Progenitor Cells, Compositions and
Treatments Thereof**

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO THE SEPTEMBER 28, 2001 PTO COMMUNICATION

Dear Sir:

This Response is submitted in reply to the September 28, 2001 PTO Communication received in the above-identified patent application and addresses the restriction requirement of the September 28, 2001 Communication.

In addition, a Petition for an Extension of Time (5 months) under 37 C.F.R. §1.136(a) to extend the response period until March 28, 2002, along with the required fee in accordance with 37 C.F.R. §1.17 (a)(5), (small entity) are provided herewith.

REMARKS

In the PTO communication dated September 28, 2001, the Examiner has restricted the pending claims into three (3) groups which are considered to be distinct inventions. To provide a complete response to the Examiner's restriction, applicants elect the claims of Group I (i.e., claims 1-3, 17-27, 45-55, 84 and 92-96, drawn to an isolated muscle-derived cell having long term survivability when introduced into